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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,817	07/17/2000	Yousuf Saifullah	017.38719X00	8282

20457 7590 10/04/2003

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 10/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/617,817

Applicant(s)

SAIFULLAH ET AL.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. Claims 1-47 are pending.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-47 are rejected under 35 U.S.C. § 103 as being unpatentable over Koodli [6,571,095 B1] in view of Forslow [6,608,832 B2]

2. As per claim 1, Koodli discloses a method for carrying call control information after a call handover from an Internet Protocol (IP) packet switched network to a circuit switched cellular network comprising:

generating a first message containing call control information (i.e.: setting up the call, monitoring of the call, termination of the call, *specification, pp 8 lines 8-10*) [Koodli col 2 lines 21-32], the first message being of an IP-based protocol (by user equipment such as PDA, laptop computer, wireless telephone device, *specification, pp 7*) [mobile terminal 12, Koodli Fig 2]

encapsulating the first message into a second message (i.e.: Mobile terminal encapsulate SIP message) [Session Initiation Protocol, Koodli col 6 lines 22-34];

transferring the second message to a network element, the network element being part of a circuit switched cellular network [Mobile Service Center in GSM network, Koodli col 8 line 60-col 9 line 14];

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encapsulating, at the network element, the second message into a third message (i.e: mobile switching center sends Map\_Process\_Access\_ Sig message to gateway, *specification page 9 line 19-page 10 line 4*)[MSC 24, Koodli Fig 2];

transferring the third message to a gateway [gateway node 32, Koodli Fig 2];  
extracting, at the gateway, the first message from the third message; and sending the first message to a server [serve 50, Koodli Fig 2] in an IP packet switched network [data network 46, Koodli Fig 2],

However Koodli did not detail the first message is carried through the circuit switched network transparently. It was well-known in the art that a user message is carried through the IP network and circuit network is transparently [see Forslow, Sayers, Mauger references]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the user message or IP host configuration is transparent to the bearer or circuit switched network [Forslow col 19 lines 45-64] into the Koodli's apparatus in order to take advantage of mobile network facilities. Doing so would provide a quality service for end-to-end communication.

3. Claims 13,25,33,44-47 contain the similar limitations set forth of method claim 1. Therefore, claims 13,25,33,44-47 are rejected for the similar rationale set forth in claim 1

4. As per claims 2,14,27 Koodli-Forslow disclose the IP-based protocol is one of a Session Initiation Protocol (SIP) and a H.323 protocol [Koodli col 6 lines 22-34].

5. As per claims 3,15,28 Koodli-Forslow disclose the circuit switched cellular network is a Global System for Mobile Communications (GSM) network [Koodli Fig 1].
6. As per claims 4,16 Koodli-Forslow disclose the second message comprises a User Information message (MSC receives the user information message, specification pp 9 line20)[MSC 24, Koodli Fig 2].
7. As per claims 5,17 Koodli-Forslow disclose the third message comprises a MAP PROCESS ACCESS SIG message (i.e.: MSC) [MSC 24, Koodli Fig 2].
8. As per claims 6,18,29 Koodli-Forslow disclose the circuit switched cellular network [cellular network 202, Koodli Fig 5] is an IS-41 network as a design choice.
9. As per claims 7,19,30 Koodli-Forslow disclose the circuit switched cellular network is an IS-136 network as a design choice.
10. As per claim 8, Koodli-Forslow disclose the generating and first encapsulating are performed at a user device [i.e.: laptop 14 with modem or NIC, Koodli Fig 2].
11. As per claims 9,21 Koodli-Forslow disclose the user device comprises a mobile device [mobile terminal 12, Koodli Fig 2].

12. As per claims 10,22,26 Koodli-Forslow disclose the user device comprises one of a mobile phone, a portable computer, and a Personal Digital Assistant (PDA) [laptop 14 and mobile terminal 12, Koodli Fig 2].

13. As per claims 11,20,23,31 Koodli-Forslow disclose the IP packet switched network comprising an IP packet switched mobile network [Koodli Fig 2].

14. As per claims 12,24,32 Koodli-Forslow disclose the network element comprising a Mobile Switching Center (MSC) [MSC 24, Koodli Fig 2].

15. As per claim 35, Koodli-Forslow disclose a call processing server, the call processing server [Koodli col 2 lines 21-32] being part of the first packet switched network [Internet 46, Koodli Fig 2].

16. As per claim 36, Koodli-Forslow disclose a first packet switched gateway, the first packet switched gateway being part of the first packet switched network and operatively connected to the call processing server [Koodli col 2 lines 21-32].

17. As per claim 37, Koodli-Forslow disclose a serving node, the serving node being part of the second packet switched network and operatively connected to the radio access network and the first packet switched gateway, the serving node capable of

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carrying the packets between the at least one user device through the radio access network and the first packet switched gateway [Koodli Fig 2].

18. As per claim 38, Koodli-Forslow disclose a second packet switched gateway operatively connected to the serving node and the call processing server, the second packet switched gateway capable of carrying the packets between the serving node and the call processing server [Koodli col 2 lines 21-32].

19. As per claim 39, Koodli-Forslow disclose the first packet switched gateway comprising a third generation (3G) IP gateway [router 48, Koodli Fig 2].

20. As per claim 40, Koodli-Forslow disclose a serving GPRS support node (SGSN) [GPRS 30, Koodli Fig 2].

21. As per claim 41, Koodli-Forslow disclose the second packet switched gateway comprises a gateway GPRS support node (GGSN) [GPRS 30, Koodli Fig 2].

22. As per claim 42, Koodli-Forslow disclose the second packet switched gateway comprises a second generation (2G) IP gateway [firewall 36, Koodli Fig 2].

23. As per claim 43, Koodli-Forslow disclose the second packet switched network comprises a General Packet Radio Service (GPRS) network [GPRS, Koodli Fig 1].

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24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached at (703) 308-5221.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

*Thong Vu*  
*Patent Examiner*  
*Art Unit 2142*

